UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

RONNIE JONES, ET AL.,) Plaintiffs,)	
v. CITY OF BOSTON, ET AL.,) CIVIL ACTION) NO. 05-11832-GAO	
0111 01 200101,21 112,	Defendants.	HEARING REQUESTED

PLAINTIFFS' MOTION TO COMPEL PSYCHEMEDICS CORPORATION TO PRODUCE ITS STANDARD OPERATING PROCEDURES FOR TESTING HAIR SAMPLES FOR DRUGS OF ABUSE

Plaintiffs Ronnie Jones, Richard Beckers, Walter Washington, William Earl Bridgeforth, Shawn N. Harris, Eugene Wade George C. Downing, Jr., Clararise Bristow, Rachelle Couch, Keri Hogan, and the Massachusetts Association of Minority Law Enforcement Officers, (together referred to herein as the "plaintiffs") hereby move, pursuant to Rules 26, 37 and 45 of the Federal Rules of Civil Procedure, for an Order compelling Psychemedics Corporation ("Psychemedics") to produce its Standard Operating Procedures ("SOP") requested through document requests 5-10 of plaintiffs' subpoena to Psychemedics. The grounds for this motion are set forth in the accompanying memorandum of law, and a proposed Order is attached hereto as Exhibit A.

Further, because Psychemedics has no good faith basis for continuing to withhold its requested SOP following extensive correspondence from plaintiffs' counsel and a meet-andconfer to discuss the basis of Psychemedics's blanket, conclusory objections, Psychemedics should be ordered to pay the plaintiffs' costs, including attorneys' fees, incurred in bringing this Motion, in an amount to be determined upon submission of an affidavit setting forth such costs.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), plaintiffs respectfully request a hearing on this motion.

CERTIFICATION PURSUANT TO RULE 7.1(A)(2)

I, Robert B. Baker, counsel for the plaintiffs, hereby certify pursuant to Local Rule 7.1(A)(2) that I conferred with J. Allen Holland, Jr., counsel for Psychemedics, including on April 11, 2007 and by letters dated February 28 and April 13, 2007, prior to filing this motion in an attempt to resolve the issues in dispute, and that we were unable fully and completely to resolve our disagreement.

Respectfully submitted,

Ronnie Jones, Richard Beckers, Walter Washington, William Earl Bridgeforth, Shawn N. Harris, Eugene Wade George C. Downing, Jr., Clararise Bristow, and the Massachusetts Association of Minority Law Enforcement Officers,

By their attorneys,

/s/ Robert B. Baker

Louis A. Rodrigues, BBO # 424720 Rheba Rutkowski, BBO # 632799 Raquel J. Webster, BBO # 658796 Robert B. Baker, BBO # 654023 Eric A. Heining, BBO # 664900 BINGHAM McCUTCHEN LLP 150 Federal Street Boston, MA 02110 (617) 951-8000

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ACTIVE/72011893.1 2 Maricia Woodham, BBO # 600886 SABEL & SABEL, P.C. Hillwood Office Center 2800 Zelda Road; Ste. 100-5 Montgomery, AL 36106 (334) 271-2770

Dated May 15, 2007

CERTIFICATE OF SERVICE

I hereby certify that, on May 15, 2007, a true copy of the above document was served upon the attorney of record for each other party by first class mail and electronically via the ECF/CM. In addition, I hereby certify that, on May 15, 2007, a true copy of the above document was served upon counsel for Psychemedics, J. Allen Holland, Jr., by hand delivery.

/s/ Robert B. Baker

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UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

RONNIE JONES, ET AL.,) Plaintiffs,)	
v. CITY OF BOSTON, ET AL.,)))	CIVIL ACTION NO. 05-11832-GAO
	Defendants.)	

[PROPOSED] ORDER ON THE PLAINTIFFS' MOTION TO COMPEL PSYCHEMEDICS CORPORATION TO PRODUCE ITS STANDARD OPERATING PROCEDURES FOR TESTING HAIR SAMPLES FOR DRUGS OF ABUSE

Upon plaintiffs' Motion to Compel Psychemedics Corporation ("Psychemedics") to produce its Standard Operating Procedures requested through document requests 5-10 of plaintiffs' subpoena to Psychemedics, and all other papers and proceedings herein:

IT IS HEREBY ORDERED that:

- 1. The plaintiffs' motion is granted; and
- 2. Psychemedics shall produce all of the documents responsive to requests 5-10 of the plaintiffs' November 3, 2006 subpoena to plaintiffs and defendants; and
- 3. The parties shall treat the documents produced by Psychemedics pursuant to this Order as confidential information under the terms of the Order Governing The Production And Exchange of Confidential Information;
- 4. Psychemedics shall pay the plaintiffs' costs, including attorneys' fees, incurred in bringing their motion, in an amount to be determined upon submission of an appropriate affidavit setting forth such costs within ten days of the date of this Order.

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		SO ORDERED.
		The Honorable George A. O'Toole
		United States District Judge
Dated:	2007	

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